IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 68621-M of 2006

DATE OF DECISION : 15.12.2006

Raj Singh

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Ms. Monisha Lamba, Advocate,
for the petitioner.

Mr. Partap Singh, Senior DAG, Haryana.

Mr. Vikas Kumar, Advocate,
for the complainant.

Petitioner Raj Singh, apprehending his arrest in a non-bailable offence in case FIR No. 217 dated 3.9.2006 registered under Sections 354, 452 and 506 IPC at Police Station Hathin, District Mewat, has filed this petition under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail.

I have heard counsel for the parties and have gone through the contents of the FIR.

Counsel for the petitioner contends that two complaints made by the complainant were thoroughly gone into by the police and no offence, as alleged, was found to have been committed by the petitioner. He further contends that third time a complaint was filed, which was straight-away referred under Section 156 (3) Cr.P.C. to the police, on the basis of which, the aforesaid FIR has been registered against the petitioner, in which he has been falsely implicated. Counsel contends that the only non-bailable offences in this case are under Sections 452 and 506 IPC. He further states

that in terms of the interim order dated November 6, 2006, the petitioner has joined the investigation. The State counsel does not dispute this fact.

In view of the above, without commenting on the merits, the interim bail, granted vide order dated November 6, 2006, is made absolute subject to the same terms and conditions.

Disposed of accordingly.

December 15, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**